

JACQUELINE M. JAMES, ESQ.

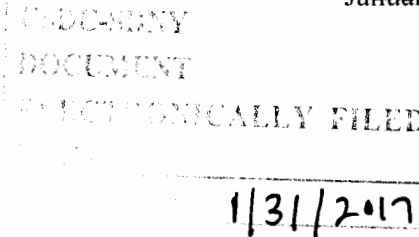
THE JAMES LAW FIRM
445 HAMILTON AVENUE
SUITE 1102
WHITE PLAINS, NY 10601

T: (914) 358 6423
F: (914) 358 6424
JJAMESLAW@OPTONLINE.NET
JACQUELINEJAMESLAW.COM

MEMO ENDORSED

January 30, 2017

The Honorable Judge Ronnie Abrams
United States Courthouse
40 Foley Square
New York, NY 10007



Re: 1:15-cv-10133-RA Plaintiff's Sixth Letter Motion for Extension of Time within Which to Effectuate Service on Defendant Ryan Levin

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC ("Plaintiff"), moves for entry of an order extending the time within which Plaintiff has to serve Defendant with a Summons and Complaint, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant's true identity is known by their Internet service provider ("ISP").

2. On January 29, 2016, Plaintiff was granted leave to serve a third party subpoena on Defendant's ISP, Time Warner Cable, to obtain the Defendant's identifying information [CM/ECF 12]. Plaintiff served the subpoena on or about February 1, 2016, and received the ISP's response on or about October 28, 2016.

3. On January 27, 2017 after a thorough investigation of the information provided by the ISP, Plaintiff amended its Complaint to name the Defendant [CM/ECF 24], and requested that the Clerk issue a summons as to the Defendant. A summons has yet to be issued. As such, Plaintiff has been unable to forward the documents to its process server and request that they serve the Defendant.

4. On March 29, 2016, Plaintiff filed its First Motion for Extension of Time Within Which to Effectuate Service of Defendant [CM/ECF 13]. This Court granted Plaintiff's motion on March 30, 2016, extending the deadline to serve the Defendant until May 30, 2016 [CM/ECF 14].

5. On May 31, 2016, Plaintiff filed its Second Motion for Extension of Time Within Which to Effectuate Service of Defendant [CM/ECF 15]. This Court granted Plaintiff's motion on June 1, 2016, extending the deadline to serve the Defendant until July 15, 2016 [CM/ECF 16].

6. On July 15, 2016, Plaintiff filed its Third Motion for Extension of Time Within Which to Effectuate Service of Defendant [CM/ECF 17]. This Court granted Plaintiff's motion on July 18, 2016, extending the deadline to serve the Defendant until September 3, 2016 [CM/ECF 18].

7. On September 12, 2016, Plaintiff filed its Fourth Motion for Extension of Time Within Which to Effectuate Service of Defendant [CM/ECF 20]. This Court granted Plaintiff's motion on September 12, 2016, extending the deadline to serve the Defendant until November 12, 2016 [CM/ECF 21].

8. On October 27, 2016, Plaintiff filed its Fifth Motion for Extension of Time Within Which to Effectuate Service of Defendant [CM/ECF 22]. This Court granted Plaintiff's motion on October 27, 2016, extending the deadline to serve the Defendant until February 1, 2017 [CM/ECF 23].

9. Procedurally, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended by an additional thirty (30) days, or until March 3, 2017. Such extension will allow undersigned sufficient time within which to prepare the appropriate pleadings and to effectuate service on the Defendant.

10. This motion is made in good faith and not for the purpose of undue delay.

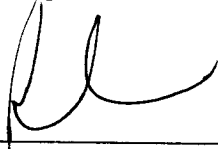
11. None of the parties will be prejudiced by the granting of this extension.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve defendant Ryan Levin be extended until March 3, 2017.

Respectfully Submitted,

By: Jacqueline M. James
Jacqueline M. James, Esq. (1845)
The James Law Firm, PLLC
445 Hamilton Avenue, Suite 1102
White Plains, New York 10601
T: 914-358-6423
F: 914-358-6424-mail:
jjameslaw@optonline.net
Attorneys for Plaintiff

Application granted. SO ORDERED.



Ronnie Abrams, U.S.D.J.
January 31, 2017